

Chapter 2

Commission Delegated Regulation (EU) 2017/1946



Article 9 Information relating to the financing of the proposed acquisition

The proposed acquirer shall provide the competent authority of the target entity a detailed explanation of the specific sources of funding for the proposed acquisition, including:

- (a) details on the use of private financial resources and the origin and availability of the funds, including any relevant documentary support to provide evidence to the competent authority that no money laundering is attempted through the proposed acquisition;
- (b) details on the means of payment of the proposed acquisition and the network used to transfer funds;
- (c) details on access to capital sources and financial markets including details of financial instruments to be issued;
- (d) information on the use of borrowed funds including the name of relevant lenders and details of the facilities granted, including maturities, terms, pledges and guarantees, as well as information on the source of revenue to be used to repay such borrowings and the origin of the borrowed funds where the lender is not a supervised financial institution;
- (e) information on any financial arrangement with other shareholders of the target entity;
- (f) information on assets of the proposed acquirer or the target entity which are to be sold in order to help finance the proposed acquisition, as well as the conditions of the sale, including price, appraisal, details regarding the characteristics of the assets and information on when and how the assets have been acquired.